

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

Quintin M. Littlejohn,)	
)	
)	Civil Action No. 6:14-cv-03224-JMC
Petitioner,)	
v.)	ORDER
)	
)	
Barack H. Obama, President of the USA;)	
Novant Healthcare; Social Security Admin., and)	
J. M. Childs, Judge,)	
)	
)	
Respondent.)	
_____)	

This matter is before the court for review of the Magistrate Judge's Report and Recommendation ("Report"), (ECF No. 14), filed on August 19, 2014, recommending that district court summarily dismiss the above-captioned case *without* prejudice and without service of process. The Report sets forth in detail the relevant facts and legal standards on this matter which the court incorporates herein without a recitation.

The magistrate judge's Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made, and the court may accept, reject, or modify, in whole or in

part, the magistrate judge's recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Petitioner was advised of his right to file objections to the Report (ECF No. 14 at 5). However, Petitioner filed no objections to the Report.

In the absence of objections to the magistrate judge's Report, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). Furthermore, failure to file specific written objections to the Report results in a party's waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

Therefore, after a thorough and careful review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and the record in this case. The court **ACCEPTS** the Report (ECF No. 14). For the reasons articulated by the Magistrate Judge, it is therefore **ORDERED** that Petitioner's Petition for Writ of Mandamus (ECF No. 1) is **SUMMARILY DISMISSED** *without* prejudice and without service of process.

IT IS SO ORDERED.

J. Michelle Childs

United States District Judge

October 3, 2014
Greenville, South Carolina